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7
8 Attorneys for Defendants
9 MATTHEW CAVIGLIA, AS TRUSTEE
10 OF THE RONALD & NANCI CAVIGLIA
11 2003 REVOCABLE TRUST

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14 UNITED STATES DISTRICT COURT
15 NORTHERN DISTRICT OF CALIFORNIA

16 PATRICK CONNALLY, an individual; and
17 DISABILITY RIGHTS ENFORCEMENT,
18 EDUCATION, SERVICES: HELPING
19 YOU HELP OTHERS, a California public
20 benefit corporation,

21 Plaintiff,
22
23 vs.

24 FRANK'S FREEZE; MATTHEW
25 CAVIGLIA, as trustee of the RONALD &
26 NANCY CAVIGLIA 2003 REVOCABLE
27 TRUST; and MYUNG SHIN KIM and HYE
28 SEO KIM, a married partnership dba
FRANK'S FREEZE,

Defendants.

Case No. C05-2239 JCS

**JOINT CASE MANAGEMENT
STATEMENT**

DATE: 4/28/06
TIME: 9:30 a.m.
DEPT.: 8

29 The parties hereto submit the following Joint Case Management Statement as follows:

30 The co-defendants are working out the terms of a "side deal" which addresses
31 responsibility for the repairs and related issues. The landlord responded to the tenant's draft
32 proposal on Friday April 21, 2006. The parties anticipate that the agreement will be finalized, if
33 it is to be finalized, within fourteen (14) days from that date. It is requested the court grant a
34

1 final continuance of this matter for settlement documents for an additional two weeks until May
2 12, 2006.
3

4 Dated: April ___, 2006

GEARY, SHEA, O'DONNELL, GRATTAN
& MITCHELL, P.C.

6 By: _____
7 JOHN A. HOLDREDGE
8 Attorneys for Defendants
9 MATTHEW CAVIGLIA, AS TRUSTEE
10 OF THE RONALD & NANCI CAVIGLIA
11 2003 REVOCABLE TRUST
12

13 Dated: April ___, 2006

BORTON PETRINI & CONRON

14 By: _____
15 KELLY REID
16 Attorneys for Defendants
17 MATTHEW CAVIGLIA, AS TRUSTEE
18 OF THE RONALD & NANCI CAVIGLIA
19 2003 REVOCABLE TRUST
20

21 Dated: April ___, 2006

22 THOMAS E. FRANKOVICH, A
23 PROFESSIONAL LAW CORPORATION
24

25 By: _____
26 JENNIFER L. STENEBERG
27 Attorneys for Plaintiffs
28 PATRICK CONNALLY AND DISABILITY
RIGHTS ENFORCEMENT, EDUCATION,
SERVICES: HELPING YOU HELP OTHERS
29

30 Dated: April ___, 2006

31 BEYERS COSTIN
32

33 By: _____
34 STEPHEN PERRY
35 Attorneys for Defendants
36 MYUNG SHIN KIM and HYE SEO KIM
37

38 Dated: April 27, 2006



PROOF OF SERVICE

I am employed in the County of Sonoma, State of California. I am over the age of 18 years and not a party to the within action. My business address is Geary, Shea, O'Donnell & Grattan, P.C., 37 Old Courthouse Square, Fourth Floor, Santa Rosa, CA 95404.

On April 26, 2006, I served the attached:

JOINT CASE MANAGEMENT STATEMENT

on the parties to this action by placing a true copy thereof in a sealed envelope, addressed as follows:

<p>Jennifer L. Steneberg, Esq. Thomas E. Frankovich, A Professional Law Corporation 2806 Van Ness Avenue San Francisco, CA 94109</p>	<p>Attorneys for Plaintiffs Patrick Connally and Disability Rights Enforcement, Education, Services: Helping You Help Others</p>
<p>Stephen Duane Perry, Esq. Beyers Costin 200 Fourth Street, Suite 400 P. O. Box 878 Santa Rosa, CA 95402-0878</p>	<p>Attorneys for Defendants Myung Shin Kim and Hye Seo Kim</p>
<p>Kelley Reid, Esq. Borton Petrini & Conron 463 Pacific Avenue San Francisco CA 94133-4614</p>	<p>Attorneys for Defendants Matthew Caviglia, as Trustee of The Ronald & Nanci Caviglia 2003 Revocable Trust</p>

/X/ (BY MAIL) I placed each such sealed envelope, with postage thereon fully prepaid for first-class mail, for collection and mailing at Santa Rosa, California, following ordinary business practices. I am readily familiar with the practice of Geary, Shea, O'Donnell & Grattan for processing of correspondence, said practice being that in the ordinary course of business, correspondence is deposited in the United States Postal Service the same day as it is placed for processing.

/_ / (BY OVERNIGHT DELIVERY, PURSUANT TO CCP §1013(c)) I placed such sealed envelope for collection and mailing by overnight delivery at Santa Rosa, California, within the ordinary business practices of Geary, Shea, O'Donnell & Grattan. I am readily familiar with the practices of Geary, Shea, O'Donnell & Grattan for processing overnight correspondence, said practice being that in the ordinary course of business, correspondence is either picked up by or delivered to the delivery company the same day as it is placed for processing.

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1 /__/ (BY PERSONAL SERVICE) I caused each such envelope to be delivered by hand to the
2 addressee(s) noted above.

3 /__/ (BY FACSIMILE) I caused the said document to be transmitted pursuant to Rule 2008, by
4 Facsimile machine (which complies with Rule 2003(3)) to the number indicated after the
5 address(es) noted above. The transmission was reported as complete and without error.

6 I declare under penalty of perjury, under the laws of the State of California, that the
7 foregoing is true and correct. This Proof of Service was executed on April 26, 2006, at Santa
8 Rosa, California.

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Susan Jacoby

Caviglia #19140-001